

ORDINANCE NO. 20200917-076

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7821 NORTH IH-35 SERVICE ROAD NORTHBOUND IN THE HERITAGE HILLS/WINDSOR HILLS COMBINED NEIGHBORHOOD PLAN AREA FROM COMMERCIAL HIGHWAY SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CH-CO-NP) COMBINING DISTRICT AND GENERAL COMMERCIAL SERVICES-NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from commercial highway services-conditional overlay-neighborhood plan (CH-CO-NP) combining district and general commercial services-neighborhood plan (CS-NP) combining district to general commercial services-neighborhood plan (CS-NP) combining district on the property described in Zoning Case No. C14-2020-0072, on file at the Planning and Zoning Department, as follows:

Lot 2, S/W ONE, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 81, Page 245, Plat Records of Travis County, Texas, (the "Property"), SAVE AND EXCEPT the following tract of land:

A 0.2200 acre parcel of land conveyed to the state of Texas in Deed recorded in Document No. 2017087394 in the Official Public Records of Travis County, Texas, being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance,

locally known as 7821 North IH-35 Service Road Northbound in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

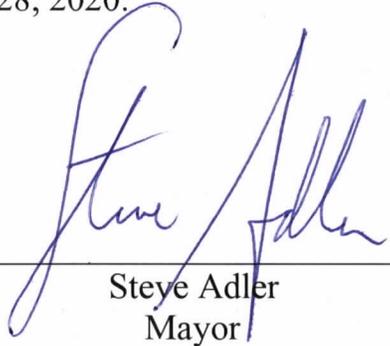
PART 2. The Property is subject to Ordinance No. 20110113-060 that established zoning for the Heritage Hills Neighborhood Plan.

PART 3. This ordinance takes effect on September 28, 2020.

PASSED AND APPROVED

September 17, 2020

§
§
§



Steve Adler
Mayor

APPROVED: Anne L. Morgan
Anne L. Morgan
City Attorney *by: A. Thomas*

ATTEST: Jannette S. Goodall
Jannette S. Goodall
City Clerk

EXHIBIT A

County: Travis
Parcel No.: 14
Highway: IH 35
Limits: From: South of Rundberg Lane
 To: US 290
CSJ: 0015-13-382
RCSJ: 0015-13-393

PROPERTY DESCRIPTION FOR PARCEL 14

DESCRIPTION OF A 0.2200 ACRE (9,581 SQ. FT.) PARCEL OF LAND LOCATED IN THE JAMES P. WALLACE SURVEY NO. 57, ABSTRACT NO. 789, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2 (CALLED 1.100 ACRES), S/W ONE, A SUBDIVISION OF RECORD IN VOLUME 81, PAGE 245, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.TX.), DESCRIBED IN A DEED TO AVE, INC., EXECUTED FEBRUARY 3, 2006 AND RECORDED IN DOCUMENT NO. 2006021949, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.); SAID 0.2200 ACRE (9,581 SQ. FT.) PARCEL, AS SHOWN ON A PLAT PREPARED BY SAM FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found 453.94 feet left of Interstate Highway 35 (IH 35) Engineer's Centerline Station (E.C.S.) 2987+03.52 for the northeast corner of said Lot 2, the most northerly northwest corner of Lot 1, of said S/W One subdivision, described in a deed to Radiant Properties, LLC, and recorded in Document No. 2008043635, O.P.R.T.C.TX., and a point on the south line of a 25.00 acre tract of land described in a deed to the State of Texas, and recorded in Volume 1447, Page 377, Deed Records of Travis County, Texas (D.R.T.C.TX.);

THENCE N 62°37'58" W, with the common line of said Lot 2 and said 25.00 acre tract, a distance of 242.10 feet to a Texas Department of Transportation (TXDOT) Type II monument (Surface Coordinates: N=10,098,374.34; E=3,127,937.22) set 211.84 feet left of IH 35 E.C.S. 2987+03.65 on the proposed east right-of-way line of IH 35, for the northeast corner and the **POINT OF BEGINNING** of the parcel described herein;

THENCE with the proposed east right-of-way line of said IH 35, over and across said Lot 2 the following two (2) courses and distances numbered 1-2:

- 1) S 06°23'47" W, a distance of 106.01 feet to a TXDOT Type II monument set 249.83 feet left of IH 35 E.C.S. 2988+02.62, and
- 2) S 12°03'46" E, a distance of 130.00 feet to a 5/8-inch iron rod with TxDOT aluminum cap set 332.46 feet left of IH 35 E.C.S. 2989+02.98 on the common line of said Lot 2 and said Lot 1, for the southeast corner of the parcel described herein;

3) **THENCE** N 62°28'49" W, departing the proposed east right-of-way line of said IH 35, with the common line of said Lot 2 and said Lot 1, passing at a distance of 101.72 feet a 1/2-inch iron rod found, and continuing for a total distance of 102.09 feet to a calculated point for the southwest corner of said Lot 2 and the most westerly northwest corner of said Lot 1, said point being on the existing east right-of-way line of said IH 35, a variable width right-of-way, as dedicated to the State of Texas in Volume 2226, Page 466, D.R.T.C.TX., for the southwest corner of the parcel described herein;

4) THENCE N 17°32'25" E, with the existing east right-of-way line of said IH 35 and the west line of said Lot 2, a distance of 202.09 feet to a calculated point for the northwest corner of said Lot 2 and the southwest corner of said 25.00 acre tract, for the northwest corner of the parcel described herein;

5) THENCE S 62°37'58" E, departing the existing east right-of-way line of said IH 35, with the common line of said Lot 2 and said 25.00 acre tract, a distance of 16.08 feet to the POINT OF BEGINNING, and containing 0.2200 acre (9,581 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearing Basis:

All bearings shown are based on the Texas State Plane Coordinate system, Central Zone, NAD 83/93. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00011. Units: U.S. Survey Feet.

THE STATE OF TEXAS
COUNTY OF TRAVIS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

That I, William Reed Herring, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.

SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300

William Reed Herring 2/26/2016

William Reed Herring Date
Registered Professional Land Surveyor
No. 6355 – State of Texas



UNITED STATES HIGHWAY 183
ENGINEER'S CENTERLINE CURVE DATA
 PI STATION • 1026+90.39
 DELTA • 04° 10' 03" (RT)
 DEGREE OF CURVE • 00° 15' 00"
 TANGENT • 833.89
 LENGTH • 1667.04
 RADIUS • 22,963.31
 PC STATION • 1016+56.87
 PT STATION • 1035+23.91

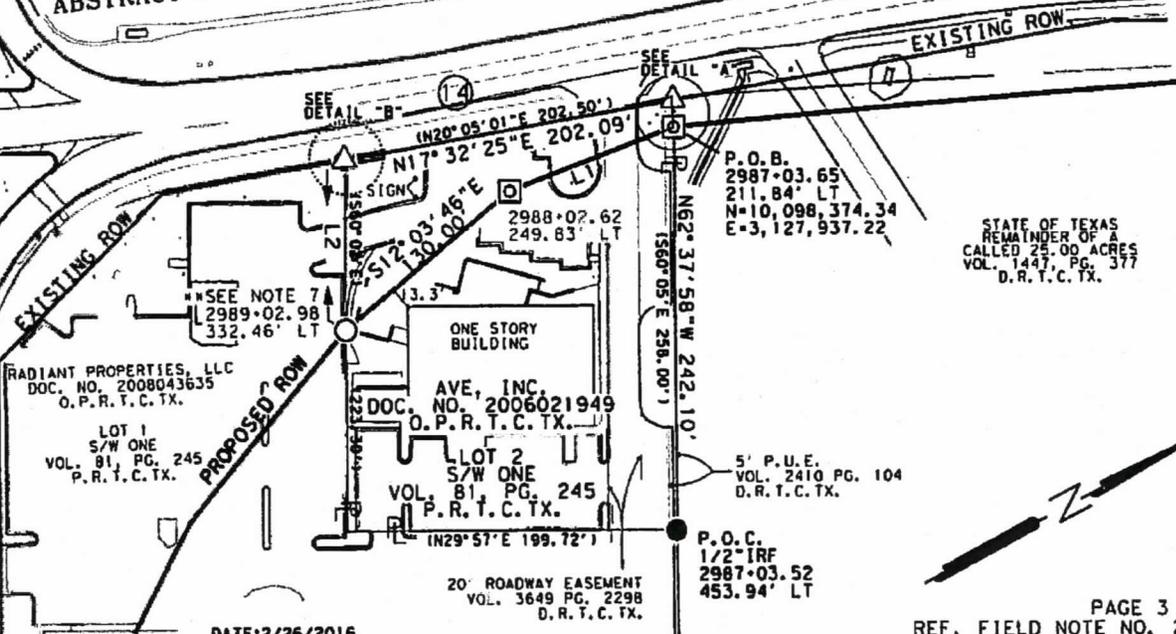
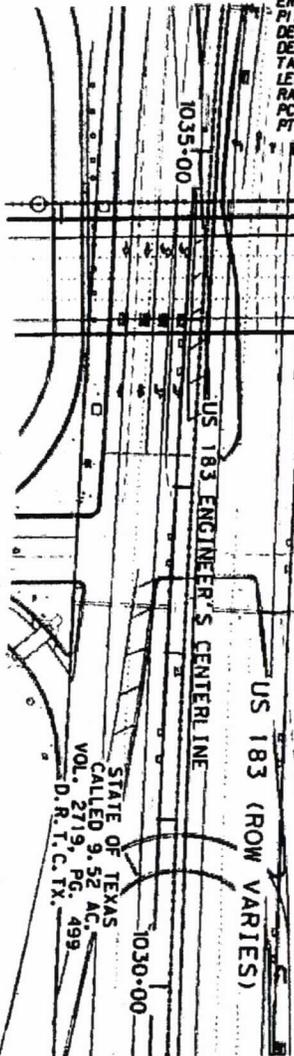
IH-35 (ROW VARIES)

2990+00 IH 35 ENGINEER'S CENTERLINE S27° 24' 00" W 2985+00

(S29° 55' W CSJ 0015-13-048)

JAMES P. WALLACE
SURVEY NO. 57
ABSTRACT NO. 789

STATE OF TEXAS
CALLED 1.415 AC.
VOL. 2226, PG. 466
D. R. T. C. TX.



P.O.B.
2987+03.65
211.84' LT
N=10,098,374.34
E=3,127,937.22

STATE OF TEXAS
REMAINDER OF A
CALLED 25.00 ACRES
VOL. 1447, PG. 377
D. R. T. C. TX.

RADIANT PROPERTIES, LLC
DOC. NO. 2008043635
O. P. R. T. C. TX.

LOT 1
S/W ONE
VOL. 81, PG. 245
P. R. T. C. TX.

AVE, INC.
DOC. NO. 2006021949
O. P. R. T. C. TX.

LOT 2
S/W ONE
VOL. 81, PG. 245
P. R. T. C. TX.

20' ROADWAY EASEMENT
VOL. 3649 PG. 2298
D. R. T. C. TX.

5' P.U.E.
VOL. 2410 PG. 104
D. R. T. C. TX.

P.O.C.
1/2" IRF
2987+03.52
453.94' LT



GRAPHIC SCALE
TRAVIS COUNTY, TEXAS

DATE: 2/26/2016
FILE: J:\1014035043E\100\Survey\02Base\DGN V8\Parcels\P-14.dgn

PAGE 3 OF 4
REF. FIELD NOTE NO. 29321

EXISTING	1.100 AC.	ACQUIRE	0.220 AC.	REMAINING	0.880 AC. LEFT
----------	-----------	---------	-----------	-----------	----------------



4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
(512) 447-0575
Fax: (512) 326-3029
Texas Firm Registration No. 10064300

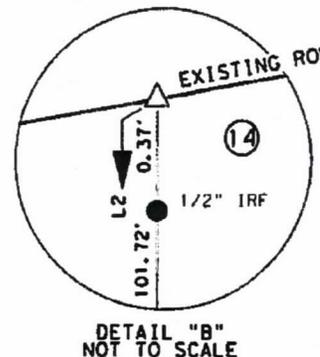
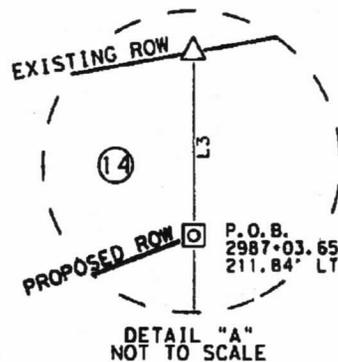
PLAT OF
PARCEL 14
IH 35
0.220 AC. (9,581 SQ. FT.)
CSJ NO. 0015-13-382
RCSJ NO. 0015-13-393

LEGEND

- TXDOT TYPE I CONCRETE MONUMENT FOUND
- TXDOT TYPE II CONCRETE MONUMENT FOUND
- ⊕ TXDOT TYPE II CONCRETE MONUMENT SET
- ⊙ 3/4" PIPE FOUND UNLESS NOTED
- 5/8" IRON ROD W/TXDOT ALUM CAP SET UNLESS NOTED
- 5/8" IRON ROD FOUND UNLESS NOTED
- △ CALCULATED POINT
- ℙ PROPERTY LINE
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- D.R.T.C.TX. DEED RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.TX. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.TX. PLAT RECORDS TRAVIS COUNTY, TEXAS
- DISTANCE NOT TO SCALE
- DEED LINE (COMMON OWNERSHIP)

LINE TABLE

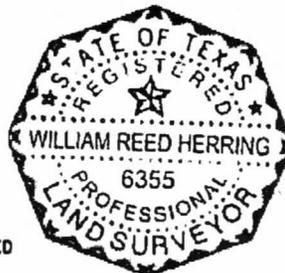
LINE NO.	BEARING	DISTANCE
L1	S06°23'47"W	106.01'
L2	N62°28'49"W	102.09'
L3	S62°37'58"E	16.08'



NOTES:

1. ALL BEARINGS SHOWN ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD 83/93. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00011. UNITS: U.S. SURVEY FEET
2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN.
3. VISIBLE IMPROVEMENTS AND UTILITIES SHOWN HEREON ARE BASED UPON AN AERIAL AND ON-THE-GROUND SURVEY BY SAM DATED JANUARY 2013, DECEMBER 2014, AND UPDATED OCTOBER 2015. THERE MAY BE ADDITIONAL IMPROVEMENTS AND UTILITIES THAT ARE NOT SHOWN.
4. IH 35 ENGINEER'S CENTERLINE ALIGNMENT WAS RECEIVED BY SAM ON OCTOBER 22, 2015, FROM ATKINS NORTH AMERICA, INC.
5. THIS PARCEL PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.
6. PARENT TRACT WAS CALCULATED BY SAM, LLC FOR THIS PARCEL PLAT UTILIZING MONUMENTATION FOUND DURING FIELD SURVEY AND RECORDED PLAT INFORMATION.
7. 5/8" IRON ROD WITH TXDOT ALUMINUM CAP DESCRIBED HEREIN AS SET MAY BE REPLACED WITH A TEXAS DEPARTMENT OF TRANSPORTATION TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TEXAS DEPARTMENT OF TRANSPORTATION.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



DATE: 2/26/2016
 FILE: J:\1014035043E\100\Survey\02Base\0GN V81\Parcel14\P-14.dgn

PAGE 4 OF 4
 REF. FIELD NOTE NO. 29321

EXISTING	1.100 AC.	ACQUIRE	0.220 AC.	REMAINING	0.880 AC. LEFT
----------	-----------	---------	-----------	-----------	----------------

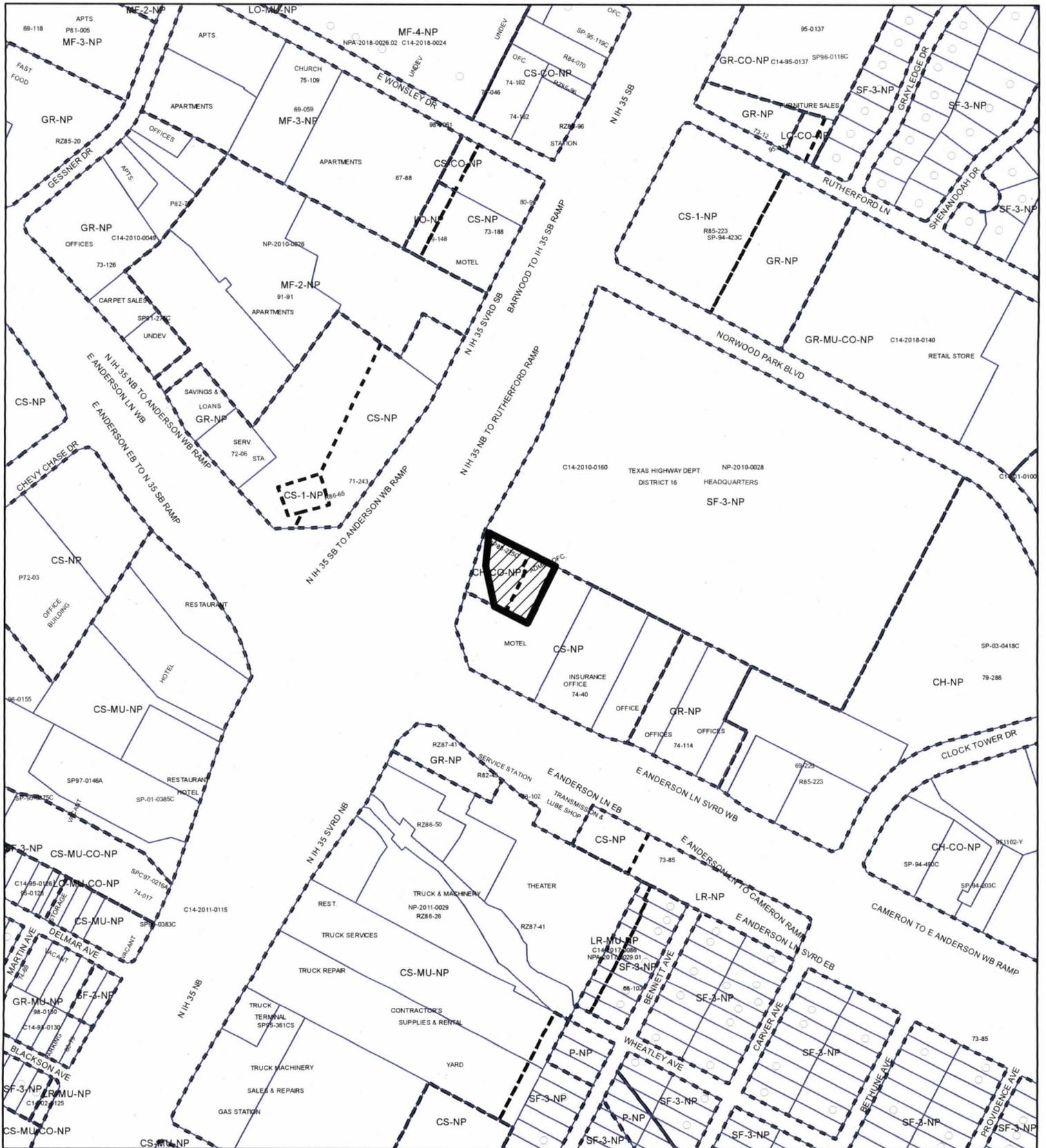
William Reed Herring
 WILLIAM REED HERRING
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 6355, STATE OF TEXAS

2/26/2016
 DATE



4801 Southwest Parkway
 Building Two, Suite 100
 Austin, Texas 78735
 (512) 447-0575
 Fax: (512) 326-3029
Trans. Firm Registration No. 10284300

PLAT OF
 PARCEL 14
 IH 35
 0.220 AC. (9,581 SQ. FT.)
 CSJ NO. 0015-13-382
 RCSJ NO. 0015-13-393



ZONING

ZONING CASE#: C14-2020-0072

Exhibit B

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 7/16/2020